



WEST VIRGINIA DIVISION OF
CULTURE AND HISTORY

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August 8, 2003

Marlene H. Dortch
Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

RE: Nationwide Programmatic Agreement regarding Section 106 of the National Historic Preservation Act of 1966, as amended, Docket No. 03-128
FR# 03-778-Multi

Dear Ms. Dortch,

Please accept the following comments regarding the proposed nationwide programmatic agreement for cellular towers.

Page A-8, 2: If an existing communications tower was located at an archaeological site, the construction of a replacement could potentially impact the archaeological site.

Page A-18, C.3: Please clarify who makes the final determination if an archaeological survey is required. Will the applicant notify the State Historic Preservation Office and provide notice of that decision?

Page A-8: Regarding the query posed as a footnote, we accept a 24 month limit.

Page A-9: Regarding footnote 5, the State Historic Preservation Office must demonstrate high probability of the existence of historic properties. The agreement needs to allow for exceptional circumstances. Where historic resources exist, all parties must accept the need for consultation. Some consultation may require a lengthy process.

Thank you for the opportunity to comment.

Sincerely,

Susan M. Pierce
Deputy State Historic Preservation Officer

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